

## **Lahontan Water Board Program Fact Sheet FY 2014-2015**

### ***Clean Water Act Section 401 Water Quality Certification (Dredge and Fill)***

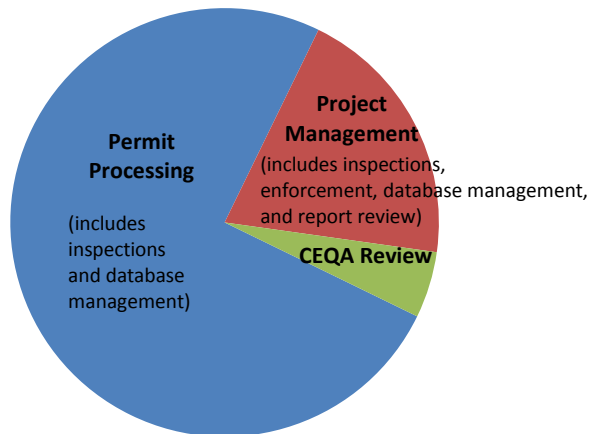
#### **Overview**

This Program regulates discharges of fill and dredged material to all waters of the state, including waters of the U.S. under Clean Water Act (CWA) section 401 and the Porter-Cologne Water Quality Control Act. Additional protections are provided for wetlands, special aquatic sites and headwaters because these waterbodies have high resource value, are vulnerable to filling, and are not protected by other programs. The Program is involved with protection of special-status species and regulation of hydromodification impacts. The Program encourages watershed-level analysis and protection, because some functions of wetlands, riparian areas, and headwater streams—including pollutant removal, flood water retention, and habitat connectivity—are expressed at the watershed or landscape level. The core of the Program's protection strategies is demonstration of impact avoidance first, followed by minimization, and then mitigation to compensate for impacts and ensure no net loss of water resources. The 401 program was allotted an addition position beginning in July 2014, so the Program is now operating with 1.8 PYs.

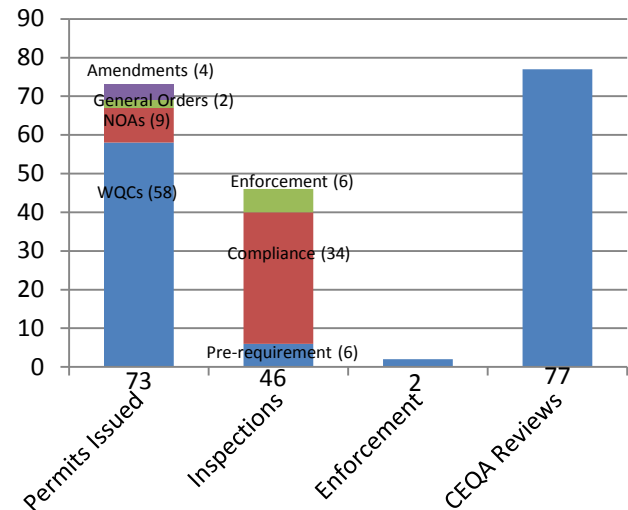
#### **Goals**

- Require applicants propose the least environmentally damaging practicable alternative for their project, avoid and minimize impacts, and provide mitigation for unavoidable impacts, such that no net loss in function and values of specific waterbody types is achieved.
- Provide timely response to applications (30 days from receipt of application) ensuring that compliance with "Contents of a Complete Application" is achieved.
- Inspect application sites, if necessary, prior to requiring additional information.
- Respond timely to questions from the public, consultants or applicants with consistent, reliable service.
- Provide conditions in the certification that are enforceable and tracking-efficient for CIWQS.
- Provide comments on environmental documents such that requirements of the dredge and fill program (i.e., avoidance, minimization, mitigation), and jurisdictional issues are clearly explained and taken into consideration during the analysis of impacts.
- Ensure Orders are in compliance with California Environmental Quality Act (CEQA).
- Inspect for compliance with Order and enforce for non-compliance.
- Maintain CIWQS database for reports required and received. Provide staff assistance in maintaining consistent entries in CIWQS with respect to fill and dredge information.
- Provide public notice on applications currently under review.
- Continue to engage in bimonthly Dredge and Fill Program Roundtables with SB and all regions.
- Participate in developing performance measures, metrics, and targets for the Program.
- Respond to questions from other regions, the State Board and legal counsel.
- Continue to assist and engage in discussions with State Board and USEPA on the statewide Wetland and Riparian Area Protection Policy (WRAPP) until finalized.
- Participate in pilot project on the Upper Truckee River for the WRAPP's Phase II, development of state-wide water quality standards for wetlands and other waters.
- Keep informed on the Wetland and Riparian Area Monitoring Program (WRAMP).

## Staff Time



## Actions



## Accomplishments - 2014

- Issued 73 dredge and/or fill permits, denials or amendments (includes 9 NOAs for impacts to State waters, 4 amendments, and 2 General Orders coverage). Currently, there are 194 active dredge and fill permits in CIWQS.
- Performed 46 inspections (6 enforcement, 34 compliance, and 6 pre-requirement).
- Completed 2 informal enforcement actions for unauthorized dredge/fill discharges and non-compliance with permit conditions. Staff is currently overseeing the resolution of these issues.
- Began working with TRPA, USEPA and San Francisco Estuary Institute on new USEPA Wetland Grant to provide workshops on the use of EcoAtlas (one-year grant).
- Continued coordination with CDFW, particularly with alternative energy projects and enforcement actions.
- Reviewed and commented on 77 environmental documents and certified one Mitigated Negative Declaration.

## Performance targets for this year – Progress to date

- State Board is still working on establishing performance targets for this program. State Board, in collaboration with the regional boards, is currently working on the development of a set of statewide performance targets for the Program.

## Performance targets for next year

Not yet established.